

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 2661-22  
C# M#

CRAPO et al

TC/A.U. 1617

Serial No. 10/051,367

Examiner: Wang, S.

Filed: January 22, 2002

Date: November 23, 2004

Title: CANCER THERAPY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

 **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment previously paid for	0 20	minus highest number (at least 20) =	0	x	\$ 18.00	\$ 0.00
Independent claims after amendment previously paid for	0 3	minus highest number (at least 3) =	0	x	\$ 88.00	\$ 0.00
If proper multiple dependent claims now added for first time, add \$300.00 (ignore improper)						\$ 0.00
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$430.00/2 months; \$980.00/3 months)						\$ 0.00
Terminal disclaimer enclosed, add \$ 110.00						\$ 0.00
<input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$790.00)						\$ 0.00
<input type="checkbox"/> Please enter the previously unentered , filed						
<input type="checkbox"/> Submission attached						
					<b>Subtotal</b>	<b>\$ 0.00</b>
If "small entity," then enter half (1/2) of subtotal and subtract <input type="checkbox"/> Applicant claims "small entity" status. <input type="checkbox"/> Statement filed herewith					<b>-\$</b>	<b>0.00</b>
Rule 56 Information Disclosure Statement Filing Fee (\$180.00)					<b>\$</b>	<b>180.00</b>
Assignment Recording Fee (\$40.00)					<b>\$</b>	<b>0.00</b>
Other:						<b>0.00</b>
					<b>TOTAL FEE ENCLOSED</b>	<b>\$ 180.00</b>

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.  
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

CRAPO et al

Serial No. 10/051,367

Filed: January 22, 2002

For: CANCER THERAPY



Confirmation No. 6992

Atty. Ref.: 2661-22

Group: 1617

Examiner: Wang, S.

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

November 23, 2004

Sir:

**INFORMATION DISCLOSURE STATEMENT**

1. **PTO-1449 Pursuant to 37 CFR 1.97(b)**  
[within 3 months of filing or prior to 1st Office Action on the merits]  
N/C

2.(a) **Statement Pursuant to 37 CFR 1.97(c)**  
[before Final Office Action or Allowance (requires Rule 97(e)  
Statement or Rule 17(p) fee)]  
N/C

2.(b) **Fee Payment Pursuant to 37 CFR 1.97(c)**  
[before Final Office Action or Allowance (requires Rule 97(e)  
Statement or Rule 17(p) fee)]  
\$180.00

3. **Pursuant to 37 CFR 1.97(d)**  
[after Final Office Action or Allowance (requires Rule 97(e)  
Statement and Rule 17(p) fee), but before final fee payment]  
\$180.00

11/24/2004 MGE BREM1 00000079 10051367

\$180.00

01 FC:1806

180.00 DP

The following are submitted in the above-identified application in compliance with  
37 C.F.R. §§ 1.97 and 1.98:

4. A list of documents on Form PTO-1449 together with copies of each identified document and a translation or a concise explanation of each non-English language document (such as a Search Report) is enclosed herewith.

This paper is submitted in accordance with:

- 5. 37 CFR 1.97(b): [within 3 months of filing or prior to 1<sup>st</sup> Office Action]
- 6. 37 CFR 1.97(c): [before Final Office Action or Allowance, whichever is earlier]; and
  - a) The required Statement made in item 8 below; **or**
  - b) The \$180.00 fee specified in 37 CFR §1.17(p) for submission of this Information Disclosure Statement is authorized in item 9 below.
- 7. 37 CFR §1.97(d): [after Final Office Action or Allowance (requires Rule 97(e) Statement and Rule 17(p) fee), but before final fee payment]; and
  - a) The fee (\$180.00) required by 37 CFR §1.17(p) is submitted herewith; and
  - b) The required Statement is stated in item 8 below.
- 8. Statement under 37 CFR 1.97(e)
  - a) The undersigned attorney of record hereby certifies under 37 C.F.R. §1.97(e) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement (each item contained in this IDS was the first citation of that item by a foreign patent office in a counterpart foreign application which occurred no more than three months prior to the filing of this IDS); or

b) No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement, after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

9. Please charge all deficiency fees associated with the submission of this Information Disclosure Statement and any other fees applicable to this application to Deposit Account No. 14-1140. An original and one (1) copy of this document are enclosed.

Respectfully submitted,  
NIXON & VANDERHYE P.C.

By: Mary J. Wilson  
Mary J. Wilson  
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## **INFORMATION DISCLOSURE CITATION**

**(Use several sheets if necessary)**

Atty. Docket No.

**Serial No.**

**2661-22**

**Applicant**

**CRAPO**

**Filing Date**

## January

10/051,367

**TCTA.U.**

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## U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

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## TRANSLATION

**OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)**

	Sonis et al, "AEOL 10150, a catalytic antioxidant, reduces the incidence and duration of radiation-induced oral mucositis in a hamster", European Journal of Cancer 37:S361 (2001) - Abstract
	Konorev et al, "Cell-Permeable Superoxide Dismutase and Glutathione Peroxidase Mimetics Afford Superior Protection against Doxorubicin-Induced Cardiotoxicity: The Role of Reactive Oxygen and Nitrogen Intermediates", Archives of Biochemistry and Biophysics 368(2):421-428 (1999)
	Beil et al, " <i>Helicobacter pylori</i> Reduces Intracellular Glutathione in Gastric Epithelial Cells", Digestive Diseases and Sciences 45(9):1769-1773 (2000)
	Chung et al, "Protective effects of hemin and tetrakis(4-benzoic acid)porphyrin on bacterial mutagenesis and mouse skin carcinogenesis induced by 7,12-dimethylbenz[a]anthracene", Mutation Research 472:139-145 (2000)
	Obst et al, " <i>Helicobacter pylori</i> causes DNA damage in gastric epithelial cells", Carcinogenesis 21(6):1111-1115 (2000)
	Patel and Day, "Metalloporphyrin class of therapeutic catalytic antioxidants", TIPS Elsevier Trends Journal 20(9):359-364 (1999)
	White et al, "A Highly Stereoselective Synthesis of Epothilone B", J. Org. Chem. 64:684-685 (1999)
	Batinic-Haberle et al, "The Ortho Effect Makes Manganic Meso-Tetrakis-(N-Methylpyridinium-2-YL)(MnTM-2-PyP <sup>5+</sup> ) A Powerful And Useful Superoxide Dismutase Mimic", Oxygen '97, The 4 <sup>th</sup> Annual Meeting of The Oxygen Society, Council Meeting, The Palace Hotel, San Francisco, California, November 20-24, 1997, - pg. 38, Abstract 1-8

\*Examiner \_\_\_\_\_ Date Considered \_\_\_\_\_

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.